



STATE OF ALABAMA
SURFACE MINING COMMISSION

P.O. BOX 2390 • JASPER, ALABAMA 35502-2390
(205) 221-4130 • FAX: (205) 221-5077

Permit Revision Number: R-2

REVISION TO PERMIT FOR
SURFACE COAL MINING OPERATIONS

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, revision is hereby approved for permit:

P-3927-63-14-S
SOUTHLAND RESOURCES INC
PO BOX 770
COTTONDALE AL 35453
(SEARLES MINE #7)

License No.: L-625

Pursuant to the
permit map: 1 OF 1

Certified by: ROBERT USHER #15917

Date: 6-17-10

The permit is revised as follows:

1. Add 10.0 mining acres to Increment #1.
2. Temporarily close and relocate a section of Tuscaloosa County Kellerman-Burchfield Road to a location approximately 600' north of its current location. Kellerman-Burchfield Road will be reconstructed at its original location after mining is complete in its general area.
3. Modify the Operation Plan.
4. Transfer Primary Road No.16 from Increment #1 to Increment #6. No change in acreage.
5. Transfer 1.0 mining acres from Increment #1 to Increment #6 for access to Sediment Basin 017.
6. Move the ancillary access road to Sediment Basin 017 (not yet disturbed). No change in acreage.
7. Transfer Sediment Basin 017 (2.0 acres) from Increment #1 to Increment #6.
8. Delete Sediment Basin 019 from Increment #1 as undisturbed.
9. Add Rock Filter Dam 001 to Increment #1. No change in acreage.
10. Modify the General Plan.
11. Update the ownership for the NW/SW & SW/SW of Section 32, Township 19 South, Range 4 West.

CONDITION R-2-1: The permittee shall notify the ASMC and seek consultation with the US Fish and Wildlife Service if:

- a. The permit is modified in any way that causes an effect on species or Critical Habitat listed under the Endangered Species Act of 1973
- b. New information reveals the operation may affect Federally protected species or designated Critical Habitat in a manner or extent not previously considered or
- c. A new species is listed or Critical Habitat is designated under the Endangered Species Act that may be affected by the operation.

CONDITION R-2-2: The permittee shall contact the ASMC and consult with the Alabama Historic Preservation Officer if the permit is modified or if previously unknown archaeological or historic resources are discovered on the permit area. Upon discovery of previously unknown artifacts or archaeological features the permittee shall cease operations until the Alabama Historic Preservation Officer approves resumption of operations.

FINDING R-2-1: The Regulatory Authority has taken into account the effect of the proposed permitting action on properties listed or eligible for listing on the National Register of Historic Places. The State Historic Preservation Officer by letter dated March 29, 2010 requested a site survey of all undisturbed areas. The applicant submitted a photographic log for all areas showing that no undisturbed areas were included in the revision area. This finding is supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Regulatory Authority has determined that no additional protection measures are necessary. Concerns for unknown resources which might be discovered during mining, have been made conditions of the permit.

FINDING R-2-2: The US Fish and Wildlife Service (FWS) provided comments dated March 26, 2010. The FWS identified no threatened or endangered species in the mine area. The US Army Corps of Engineers determined that no permit would be required from the Dept. of the Army on April 5, 2010. The ADCNR provided comments dated March 11, 2010. Concerns and recommendations of the ADCNR have been addressed in the permit. The ASMC finds that the proposed operation will not jeopardize the continued existence of endangered or threatened species or critical habitat thereof.

FINDING R-2-3: The proposed permit area is:

- a. Not within an area under study or administrative proceedings under a petition, filed pursuant to Chapter 880-X-7 to have an area designated as unsuitable for surface coal mining operations:
- b. Not within an area designated as unsuitable for mining pursuant to Chapter 880-X-7 or subject to the prohibitions or limitations of Section 880-X-7B-.06 and Section 880-X-7B-.07 of this chapter.

ACREAGE SUMMARY:

Increment #1	increases to -----	104 acres
Increment #2	remains at -----	35 acres
* Increment #3	remains at -----	38 acres
* Increment #4	remains at -----	27 acres
* Increment #6	increases to -----	21 acres
Total -----		225 Acres

* Bonded to date

All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

EFFECTIVE DATE: JUNE 22, 2010

/ns
cc: I & E, Permit File


Randall C. Johnson, Director